

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANTHONY R. McZEAL,

Plaintiff,

v.

CITY OF SEATTLE, et al.,

Defendants.

No. C05-1965P

ORDER ON PLAINTIFF'S MOTION
TO SEAL RECORDS

This matter comes before the Court on Plaintiff Anthony McZeal's motion to seal records. (Dkt. No. 20). Plaintiff has moved to seal several documents that were erroneously filed with the Court. These documents are initial disclosures, discovery requests, and discovery responses. (Dkt. Nos. 9, 11, 13, and 15). Defendants have not filed a response to this motion. Having reviewed the papers and pleadings filed by Plaintiff, the Court hereby GRANTS in part and DENIES in part Plaintiff's motion.

Local Civil Rule 5(g)(2) provides that "[t]here is a strong presumption of public access to the court's files and records which may be overcome only on a compelling showing that the public's right of access is outweighed by the interests of the public and the parties in protecting files, records, or documents from public review." This rule provides that a motion to seal records must include "a clear

1 statement of the facts justifying a seal and overcoming the strong presumption in favor of public
2 access” to the court’s files and records. In this case, Plaintiff appears to suggest that the records
3 identified in his motion should be sealed simply because they were filed in error. Standing alone, the
4 Court does not regard this reason as adequate justification for sealing these records.

5 However, this Court has adopted a General Order Regarding Public Access to Electronic Case
6 Files, which provides:

7 Parties shall refrain from including, or shall partially redact where inclusion is necessary, the
8 following personal data identifiers from all pleadings filed with the court, including exhibits
thereto, whether filed electronically or in paper, unless otherwise ordered by the Court.

9 A. **Social Security numbers.** If an individual’s social security number must be included in
10 a pleading, only the last four digits of that number should be used.

11 B. **Names of minor children.** If the involvement of a minor child must be mentioned,
only the initials of that child should be used.

12 C. **Dates of birth.** If an individual’s date of birth must be included in a pleading, only the
13 year should be used.

14 D. **Financial account numbers.** If financial account numbers are relevant, only the last
four digits of these numbers should be used.

15 The General Order also provides that “[t]he responsibility for redacting these personal identifiers rests
16 solely with counsel and the parties.”

17 The records contained under Dkt. No. 11 and Dkt. No. 20-3 in this matter include Plaintiff’s
18 unredacted Social Security number and date of birth. Therefore, these records should be sealed.

19 However, Plaintiff is ORDERED to file a properly-redacted version of the records contained
20 under Dkt. No. 11 within ten days of the date of this Order.¹ Although the Court recognizes that
21 Plaintiff originally filed these documents in error, Plaintiff offered no compelling reason why these
22 improperly-filed records should not remain accessible to the public after they are properly redacted.

24
25 ¹ Plaintiff does not need to file a redacted version of the records contained under Dkt. No. 20-
4 because these records are identical to the records contained under Dkt. No. 11.

1 The Court denies Plaintiff's request to seal the other records identified in his motion. (Dkt.
2 Nos. 9, 13, and 15). Those records do not include Social Security numbers, dates of birth, or other
3 identifiers listed in this Court's General Order Regarding Public Access to Electronic Case Files.
4 Although these documents were improperly filed with the Court, there is no apparent need to seal
5 these records.

6 Therefore, the Clerk is directed to seal the records contained under Dkt. No. 11 and Dkt. No.
7 20-3 in this matter. Plaintiff is directed to file a properly-redacted version of the records contained
8 under Dkt. No. 11 within ten days of the date of this order. The Clerk is directed to provide copies of
9 this order to all counsel of record.

10 Dated: March 27, 2006.

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12 s/Marsha J. Pechman
13 Marsha J. Pechman
14 United States District Judge
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